

DECLARATION, POWER OF ATTORNEY, AND PETITION

We, Thomas B. Bolt, a citizen of the United States of America, residing at 279 Horizon Drive, Encinitas, California 92024; and Kevin C. Daly, a citizen of the United States of America, residing at 2245 Port Charlise, Newport Beach, California 92660, verily believe that we are the original, first, and only inventors of the subject matter of the invention or discovery entitled **STORAGE SYSTEM UTILIZING AN ACTIVE SUBSET OF DRIVES DURING DATA STORAGE AND RETRIEVAL OPERATIONS**, for which a patent is sought and which is described and claimed in the specification attached hereto; that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys DEBRA CHUN, Registration No. 38,700, STEVEN G. ROEDER, Registration No. 37,227, and JAMES P. BRODER, Registration No. 43,514 with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All

correspondence and telephonic communications should be directed to:

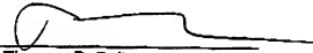
Debra Chun
Chief Patent Counsel
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Wherefore, we pray that a letters patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at San Diego, California, this 1 day of

February, 2002.
Month

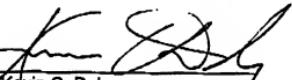
Inventor


Thomas B. Bolt
279 Horizon Drive
Encinitas, California 92024

Signed at Irvine, California, this 4 day of

February, 2002.
Month

Inventor


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